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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,815	10/22/2001	Joachim Runge	Q64443	8275

7590 12/23/2002
SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, NW
Washington, DC 20037-3213

EXAMINER

MAYO III, WILLIAM H

ART UNIT	PAPER NUMBER
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2831

DATE MAILED: 12/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,815

Applicant(s)

RUNGE ET AL.

Examiner

William H. Mayo III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copies have been filed in present Application No. 09/982,815, filed on October 22, 2001.

Drawings

2. The drawings are objected to because Figures 1-2 lack the proper cross hatching which indicates the type of materials which may be in an invention. Specifically, the cross hatching to indicate the conductor and insulation materials is incorrect. The applicant should refer to MPEP Section 608.02 for the proper cross-hatching of materials.
3. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.
4. Figures 1-2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Correction is required.

Specification

5. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

6. The abstract of the disclosure is objected to because in lines 1-2, the abstract states the term "comprises" and "comprising", both of which are improper language for the abstract. The applicant should replace the terms with —has—and —having— respectively. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
9. Claim 1 recites the limitation "the individual twisted conductors" in lines 3-4, which is confusing and renders the claim indefinite. It is unclear whether the applicant

is referring to the previous mentioned "at least two individual twisted conductors" or introducing a new twisted conductors. If the applicant is referring to the previous mentioned term, then he/she should recite the term with consistency. If the applicant is referring to new twisted conductors, then he/she should make the term more distinguishable.

10. Claim 2 recites the limitation "the individual twisted conductors" in lines 1-2, which is confusing and renders the claim indefinite. It is unclear whether the applicant is referring to the previous mentioned "at least two individual twisted conductors" or introducing a new twisted conductors. If the applicant is referring to the previous mentioned term, then he/she should recite the term with consistency. If the applicant is referring to new twisted conductors, then he/she should make the term more distinguishable.

11. Claim 4 recites the limitation "the individual twisted conductors" in line 4, which is confusing and renders the claim indefinite. It is unclear whether the applicant is referring to the previous mentioned "at least two individual twisted conductors" or introducing a new twisted conductors. If the applicant is referring to the previous mentioned term, then he/she should recite the term with consistency. If the applicant is referring to new twisted conductors, then he/she should make the term more distinguishable.

12. Claim 5 recites the limitation "the individual twisted conductors" in line 2, which is confusing and renders the claim indefinite. It is unclear whether the applicant is referring to the previous mentioned "at least two individual twisted conductors" or

introducing a new twisted conductors. If the applicant is referring to the previous mentioned term, then he/she should recite the term with consistency. If the applicant is referring to new twisted conductors, then he/she should make the term more distinguishable.

Claim Rejections - 35 USC § 102

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

14. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Jagersberger (Pat Num 5,477,007). Jagersberger discloses a multiple twisted conductor (Figs 1-3), which permits better utilization of materials while simultaneously reducing the construction size (Col 2, lines 15-16). Specifically, with respect to claim 1, Jagersberger discloses a multiple twisted conductor (Figs 1-3) comprising at least two individual conductors (1) comprising individual enamel insulated partial conductors (2) and a joint sheath (6) surrounding the individual twisted conductors (1), wherein the individual twisted conductors (1) are arranged inside the common sheath (6) without any insulating layer of their own (Col 3, lines 40-45, Fig 2). With respect to claim 2, Jagersberger discloses that the individual twisted conductors (1) are spaced apart from one another by spacers (5) that are made of insulating material (Col 3, lines 45-50, Fig 3). With respect to claim 3, Jagersberger discloses that the spacer (5) may be

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pressboard (Col 3, lines 57-60). With respect to claim 4, Jagersberger disclose a process for producing a multiple twisted conductor (Figs 1-3) in which at least two individual conductors (1) comprising individual enamel insulated partial conductors (2) may be pulled from at least some supply reel, joined , and provided with a joint sheath (6) surrounding the individual twisted conductors (1), wherein the process also further comprises the step of providing individual twisted conductors (1) which are arranged inside the common sheath (6) without any insulating layer of their own (Col 3, lines 40-45, Fig 2). With respect to claim 5, Jagersberger discloses a process wherein the individual twisted conductors (1) are spaced apart from one another by spacers (5) that is made of insulating material (Col 3, lines 45-50, Fig 3). With respect to claim 3, Jagersberger discloses a process wherein the spacer (5) may be pressboard (Col 3, lines 57-60). With respect to claim 7, Jagersberger discloses a process wherein the first twisted conductor (1) is produced from a plurality of partial conductors (2) by Roebel transposition (i.e. stacking and wrapping), and wherein the second twisted conductor (1) and the first twisted conductor (1) are provided with a common insulating sheath (6, Col 3, lines 20-31 & 45-50).

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They are Jagersberger (WO 94/07251), Hofing (Pat Num 3,702,451), Yannucci (Pat Num 3,702,452), Grimes et al (Pat Num 4,173,747), Lin et al (Pat Num 4,204,087), Hall (Pat Num 4,489,298), Persson et al (Pat Num 4,552,990),

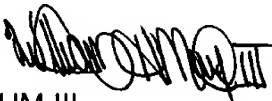
and Ito et al (Pat Num 4,649,640), all of which disclose conductors being utilized as windings.

Communication

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Mayo III whose telephone number is (703) 306-9061. The examiner can normally be reached on M-F 8:30am-6:00 pm (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (703) 308-3682. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3432 for regular communications and (703) 305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.


WHM III
December 15, 2002